

# ARTICLE V: PERMIT PROVISIONS

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**Chapter 18.200**

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***Grading and Soil Erosion***

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**18.200.010 Grading**

Every map approved pursuant to this Title shall be comply with the City's excavation and grading regulations as set forth in Titles [16](#) and [17](#) of this Code.

**18.200.020 Soil Erosion Control**

Upon determination and notification by the City Engineer that the land for which a tentative map has been filed is subject to soil erosion by either wind or water runoff, the subdivider shall submit detailed plans and specifications indicating the actions to be taken to prevent such erosion, including the prevention of sedimentation or damage to off-site property. No tentative map shall be approved unless the Planning Commission determines that the subdivider's proposals will prevent such erosion, and the approval of the map shall be conditional thereon.

**Chapter 18.210*****Development Standards***

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**18.210.010 Applicability**

This Chapter is applicable to all permits governed by this Title.

**18.210.020 Dedications**

- A. As a condition of approval, the applicant may be required to dedicate or make an irrevocable offer of dedication of all parcels of land that are needed for streets, pedestrian ways, alleys, including access rights and abutter's rights, drainage, public utility easements and other public or private easements.
- B. The applicant may also be required to dedicate such additional land as may be necessary and feasible to provide multi-purpose trails for the use and safety of the public. The applicant may be required to waive direct access rights to any street from the subject property.
- C. Every parcel required to be dedicated for public use shall be so dedicated or offered for dedication by separate instrument on a final map or by separate instrument.

**18.210.030 Streets**

Parts “A” through “K” of this Section apply to both public and private streets.

- A. Alignment and Location. In adjoining subdivisions, streets shall be designed to: (1) conform to the alignment of existing adjoining streets; (2) where the adjoining land is not subdivided, streets shall be designed to conform to the projections of existing streets; (3) where physical conditions are conducive reflect the City's overall grid pattern; (4) allow, as much as possible, for the subdivision of all adjoining unsubdivided land, and the Planning Commission may require that streets or parts of streets be provided to facilitate the subdivision of adjoining property.
- B. Rights-of-way and Improvements. Except where a modification is expressly authorized in accordance with [Chapter 18.230 Modifications](#), where a special cross section is required to conform with a specific plan or planned street line, or where the proposed street is private, street rights-of-way and the locations of improvements therein shall conform with the standards prescribed in Table 1 below.

Table 1

## STREET RIGHT-OF-WAY AND IMPROVEMENTS

Street Type	Right-of-way <sup>10</sup> (ft.)	Median <sup>1</sup> (ft.)	Pavement Width <sup>2</sup> (ft.)	Curbs and Gutters	Parkway <sup>3</sup> (ft.)
Arterial street	144	12	56 (two) <sup>7</sup>	Yes	10
Arterial street	120	12	44 (two) <sup>8</sup>	Yes	10
Arterial street	110	18	34 (two) <sup>9</sup>	Yes	12
Arterial street	100	21	34 (two) <sup>9</sup>	Yes	10
Arterial street	88	--	64 <sup>7</sup>	Yes	12
Collector street	80	--	40	Yes	20
Collector street or local street, multi-family area	66	--	40	Yes	13
Local street, single-family area	66	--	36	Yes	15
Local cul-de-sac street <sup>4</sup>	60	--	36	Yes	12
Frontage Road	42	--	32 <sup>5</sup>	Yes	10
Alley	20	--	20	--	--
Half streets	43 <sup>6</sup>	--	28	Yes	15 <sup>6</sup>

1. Includes width of curbs on both sides of median strip.
  2. Measured from curb face to curb face.
  3. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved.
  4. When approved because of short length, topography or other reasons.
  5. Includes two feet of pavement within adjoining arterial right-of-way.
  6. Forty-one feet of right-of-way where ultimate curb separation is forty feet. Remaining parkway width is 13 feet.
  7. Provides four travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
  8. Provides three travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
  9. Provides two travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
  10. Additional right-of-way may be required on arterial streets to accommodate reverse frontage configurations, scenic boulevard designations and additional traffic lanes at intersections.
- C. Curves and Tangents. Street curves and tangents shall be as provided in this subsection, unless otherwise approved by the City Engineer. Curves on major and secondary streets shall have a centerline radius conforming to the specifications of the Public Works Department. Curves on collector streets shall have a centerline radius of not less than three hundred feet. Curves on other streets shall have a centerline radius of not less than two hundred feet. A tangent conforming with the Public Works Department's specifications shall be required between reverse curves on major, secondary and collector streets.
- D. Grades. Grades of streets shall be as provided in this subsection, unless otherwise approved by the City Engineer. Grades of streets shall be not less than four-tenths percent to ensure adequate drainage, and shall not exceed six percent (6%) on major, secondary and collector streets. Grades on other streets shall not exceed twelve percent (12%). All breaks in grade should be joined by vertical curves of adequate length to provide safe sight distances and driving comfort.
- E. Intersections. The angle of intersection between public streets, between a public street and an alley, or between a public street and a private street shall be as nearly a right angle as topography and other limiting factors permit.
- F. Cul-de-sacs, Dead-end Streets and Adjoining Acreage. A cul-de-sac should not serve more than sixteen lots, nor should it exceed six hundred feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if required by warranted due to topographic or other specific conditions and if approved by the Public Works and Fire Departments. A turning area with a curbline radius of not less than thirty-six feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.

- G. Where a street is terminated adjoining property capable of future subdivision, a one-foot-wide nonaccess barrier strip the width of the street right-of-way shall be dedicated to the City and accepted for public use to deny access from the adjoining property to the street. Future acceptance of the barrier strip by the City for street purposes shall be contingent upon the improvement of the strip and the extension of the street into the adjoining property. In addition, a barricade constructed in conformance with the specifications of the Public Works Department and/or a temporary turning area or temporary connection to another street shall be required.
- H. Frontage roads are normally discouraged.
- I. Limitations. A frontage road, or reverse frontage lots, side-on lots, or other type of limited access design may be required where land adjoins or fronts on a major or secondary street. To accomplish the purposes of this subsection, waivers of vehicular and pedestrian access rights to the major or secondary street may be required. Intersections of a frontage road with the street on which it borders shall be spaced so that minimum disruption of traffic results. At intersections, the planting strip separating the frontage road from the major or secondary street shall have sufficient depth to provide at least forty (40) feet of stacking space for vehicles entering the intersections between the frontage road and the major or secondary street to the specifications of the Public Works Department.
- J. Railroads, Canals, and Other Grade Crossings. Where a development borders on or contains a railroad right-of-way, canal, or other grade crossing, a street approximately parallel to such right-of-way at a distance suitable for the appropriate use of the intervening land may be required. Such distance shall be determined with due regard for traffic needs and the requirements of approach grades and future grade separations. Where the design of the development incorporates a street that borders a railroad or canal the developer shall be required to install full width street improvements.
- K. Half Streets. Half streets shall not be approved except where essential to the reasonable development of the subdivision in conformity with the requirements of this Title and where the Planning Commission finds it will be practical to require the dedication of the remaining portion of the street when the adjoining property is subdivided.
- L. Access Streets. A subdivision should be accessible by way of two or more improved streets with a minimum of twenty-eight (28) feet of pavement to the specifications of the Public Works Department.
- M. Street Names. Streets that are a prolongation or approximate prolongation of existing streets shall be given the same names as the existing streets. No street shall be designated by the same name as any other street even though differentiated by a suffix (Avenue, Boulevard, Way, Place or other term).
- N. Private Streets. Private streets are ~~most commonly~~ **generally** used in single family ~~planned~~ residential developments ~~that are usually gated~~. In addition to paragraphs A through K above, private streets shall also comply with the following:
1. General Regulations
    - a. Private streets may be permitted in new developments where their use is logically consistent with a desire for neighborhood identification and control of access and where special overall design concepts may be involved. The use of private streets shall be subject to review and approval by the Approving **or Appeal** Authority.
    - b. All private streets and private drives shall be reviewed by the Public Works Department and the Fire Department for recommendations concerning their design and construction. The installation of street lights which will be maintained by the Public Utilities Department shall be inspected by the Public Utilities Department, with a standard inspection fee required.
    - c. The City shall assume no responsibility for enforcement of traffic control on private streets.
    - d. The use of private streets and/or drives is not intended to be a device for permitting inadequate street design.

## 2. Private Street Standards

- a. For private streets, the street widths shall be as prescribed in Table 2 below and Table 1 Street Right-of-Way and Improvements. Private streets shall be treated as public streets for the purposes of Zoning standards (e.g., lot width, lots size, setbacks etc.).

Table 2

## PRIVATE STREET STANDARDS

Pavement Width <sup>1</sup> (ft.)	Parking Conditions <sup>3</sup>	Curbs and Gutters	Parkway <sup>2</sup> (ft.)	Curb returns (ft.) <sup>4</sup>
20	Off-street	Yes	Yes	20
28	Parallel parking on one side	Yes	Yes	20
36	Parallel parking on both sides	Yes	Yes	20

1. Measured from curb face to curb face. When rolled curb is approved, measurement is from back of curb.
2. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved. Utility easements may be required behind curbs to accommodate placement of water meters, electric conduit, etc. (minimum 4' wide). Street trees are required in parkway areas.
3. "NO PARKING" signs shall be posted on each side of a private street where parking is not permitted. The design and location of said signs shall be approved by the City Traffic Engineer.
4. Minimum curb return radius allowed. Larger radius may be required as deemed appropriate by Public Works.

- b. Standard structural street design and construction materials shall be utilized in the construction of private streets in compliance with City Public Works Department specifications.
- c. Standard concrete curbs and gutters shall be installed along both sides of the entire length of any private street to the specifications of the Public Works Department. Rolled curbs may be acceptable.
- d. No private street or cul-de-sac shall serve more than sixteen (16) lots, nor should it exceed six-hundred (600) feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if required by topographic conditions and if approved by the Public Works and Fire Departments. A turning area with a curbline radius of not less than thirty-six feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.
- e. Street names shall be established according to current City criteria and shall be approved by the Planning Division.
- f. The name of each private street shall be posted at intersections using City street name sign standards or other standard approved by the City Traffic Engineer, with the street name to be followed by the word "PRIVATE" in parentheses.
- g. Sidewalks shall be required and should be located adjacent to the property line.
- h. All private streets shall be equipped with street lights, the type and design of which shall be to the approval of the Public Utilities Department and Planning Division. Street lights shall be installed by the developer.
- i. The Public Utilities Department will bill the Homeowner's Association or individual or group which owns the subject property for the electric street lights as specified in Electric Rate Schedule LS-2 (Energy and Maintenance).
- j. Street lights meeting the specifications of the Public Utilities Department will be maintained by the Public Utilities Department.

- k. The placement of traffic control devices (signs, barricades, markings, etc.) shall be provided to the specifications of the City Traffic Engineer. The design of said markings shall be to the approval of the City Traffic Engineer.
- 3. Private Driveway Standards
  - a. For private driveways, the minimum widths shall be prescribed in Table 3:

**Table 3****PRIVATE DRIVEWAY STANDARDS**

<b>Length of Private Drive</b>	<b>One Way Width of Pavement</b>	<b>Two Way Width of Pavement</b>
Less than 150 feet	12 ft. (No on-drive parking, one or two stories)	24 ft. (No on-drive parking)
	16 ft. (No on-drive parking and when adjacent to or within 50 ft. of either end of three or more story structures)	24 ft. (No on-drive parking)
150 feet or more	16 ft. (No on-drive parking)	24 ft. (No on-drive parking)

Note: 28 feet in width for any portions of driveways used as maneuvering areas for adjacent parking bays.

- b. The connection between the private driveways and any street shall be by an approved connection.
- c. Private driveways shall be provided within 150 feet of any dwelling unit for accessibility of emergency vehicles.
- d. Fences, shrubbery or any other obstruction shall not be permitted in any area that would interfere with accessibility of emergency vehicles, or effective sight distance.
- e. The maximum length of any dead-end private driveway shall not exceed 250 feet in length unless a hammerhead or cul-de-sac turnaround is provided.
- f. Private driveways exceeding 150 feet in length may have traffic bumps installed at appropriate intervals. The bumps shall either be painted white in color with a reflective-type paint or the entrance to the driveway shall be posted with the appropriate caution.
- g. Private driveways shall have no overhead obstruction within fifteen (15) feet vertical clearance of the grade of the driveway.
- h. Safety lighting may be provided on all private driveways as appropriate.
- i. A private driveway permit is required for any work within the public right-of-way.
- 4. Special Conditions for Inclusion in Conditions, Covenants and Restrictions
  - a. Each buyer shall sign an acknowledgment that he has read the Constitution and By-Laws of the Homeowner's Association (HOA) and the Conditions, Covenants and Restrictions (CC&Rs) applying to the development, including any clause pertaining to private streets and private drives.
  - b. The CC&Rs shall be irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the HOA for the life of the project. The CC&Rs shall clearly state that the HOA officers are responsible for the enforcement of the on-street parking prohibition and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.



- c. Mechanical maintenance and “knock-down” repair of fire hydrants and street lights which meet the specifications of the Public Utilities Department along private streets shall be accomplished by either the City Public Utilities Department or applicable serving utility company, at the expense of the HOA.
- d. The By-Laws or other appropriate document of the Homeowners’ Association shall include the obligations of the Association with respect to maintenance of the private streets.
- e. The CC&R’s shall provide the City with authority to repair and/or maintain the private streets and/or appurtenances in the event the HOA fails to maintain said streets and/or appurtenances in a manner that provides adequate access at all times so that emergency and utility vehicles can service the properties contiguous or adjacent thereto. Provision shall be made in the CC&R’s to enable the City to recover costs of work performed by the City in these streets. The CC&R’s shall provide that the HOA grants the City the authority to enter and repair and maintain the private street in the event the HOA defaults in its maintenance responsibilities and the preservation of the public health, safety and welfare necessitates City maintenance of the private street. Repair costs incurred by the City shall be shared, pro rata, by all parcels and collected as assessments along with County property taxes.

#### **18.210.040 Alleys**

- A. Alleys not less than twenty feet in width may be required at the rear of existing or prospective multifamily residential or single family residential planned residential developments, commercial or industrial property. Where permitted in single-family planned residential developments alleys shall be not less than twenty (20) feet in width.
- B. Rounded corners or a corner cutoff in accordance with the specifications of the Public Works Department may be required at the intersection of two alleys or at the intersection of an alley with any street. Right-angle alley turns and the turnaround of a dead-end alley shall conform to the specifications of the Public Works Department.

#### **18.210.050 Easements**

- A. Utility Easements: Easements for public utilities shall be provided to the specifications of the Public Utilities Department or of the serving utility company. Easements for sewers and drainage shall be provided to the specifications of the Public Works Department. Easements for street trees, sidewalks, and other public uses shall be provided when required.
- B. Public Access Easements to Public Resources. Easements through a subdivision to provide public access to public waterways, streams, rivers, lakes, reservoirs, and other similar public resources shall be provided to the specifications of the approving agency or City department. Public access through any area designated for habitat preservation shall require consultation with appropriate state and federal agencies. Pedestrian ways, bicycle routes, multi-purpose trails and/or equestrian paths may be considered an acceptable means of public access. If a state or federal agency determines that an access route cannot be established through an identified habitat preservation area, the subdivider shall propose alternate easement design.

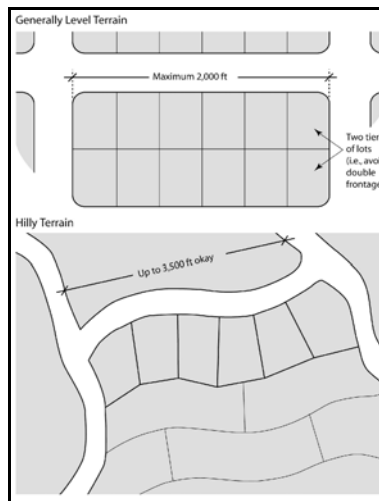
#### **18.210.060 Telecommunications**

- A. The design of any subdivision, for which a tentative map or a parcel map is required by this Title, is required to provide any and all appropriate cable television and similar or alternative systems an opportunity to construct, install, and maintain, on land identified on the map as dedicated or to be dedicated to public utility use, any equipment necessary to extend cable television or similar or alternative telecommunications services to each residential parcel in the subdivision. Appropriate cable television or similar or alternative telecommunications systems, as used in this section, means those franchised to serve the geographical area in which the subdivision is located.
- B. In furtherance of subsection A of this section, easements for construction, installation and maintenance of any equipment necessary to extend cable television or similar or alternative telecommunications services to each residence shall be provided in compliance with the specifications of the Public Works Department.

- C. This section shall not apply to the conversion of existing dwelling units to condominiums, community apartments or stock cooperatives.

#### 18.210.070 Blocks

- A. General. Blocks shall be designed to allow for adequate building sites for the type of use proposed to comply with Zoning Code requirements prescribing lot sizes and dimensions, to allow for convenient pedestrian and vehicular circulation, access, traffic control and safety and limitations created by topography. Block depths generally shall be sufficient to allow for two tiers of lots of the prescribed depth for the proposed use. In order to promote connectivity, walkability and a sense of neighborhood cohesiveness, blocks should not normally exceed 2,000 feet in length and may be up to 3,500 feet in length where topographic conditions dictate longer block lengths. Along arterial and standard streets, blocks should be designed where possible to minimize the number of interconnecting streets.



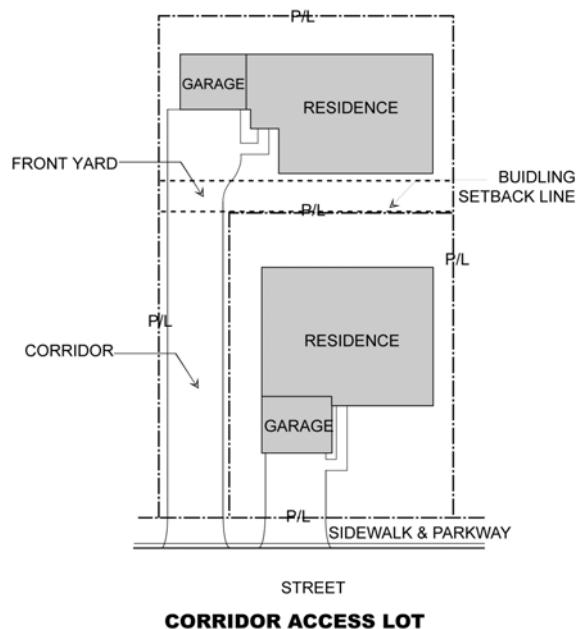
18.210.070 Blocks

- B. Corners. At street intersections, block corners shall be cut off or rounded at the property line to conform with the specifications of the Public Works Department.
- C. Pedestrian ways. Where needed for traffic safety, for access to schools, playgrounds, shopping facilities or for other community facilities, pedestrian ways not less than ten (10) feet in width may be required. The entire width shall be paved with concrete in accordance with the standard specifications for sidewalks of the Public Works Department. Pedestrian ways lined with solid walls on either side are generally discouraged due to security concerns. Pedestrian ways shall be illuminated in accordance with the specifications of the Public Utilities Department and the Planning Division. Metal posts or other facilities designed to inhibit the passage of vehicles through the pedestrian ways shall be installed to the specifications of the Public Works Department and the Planning Division.

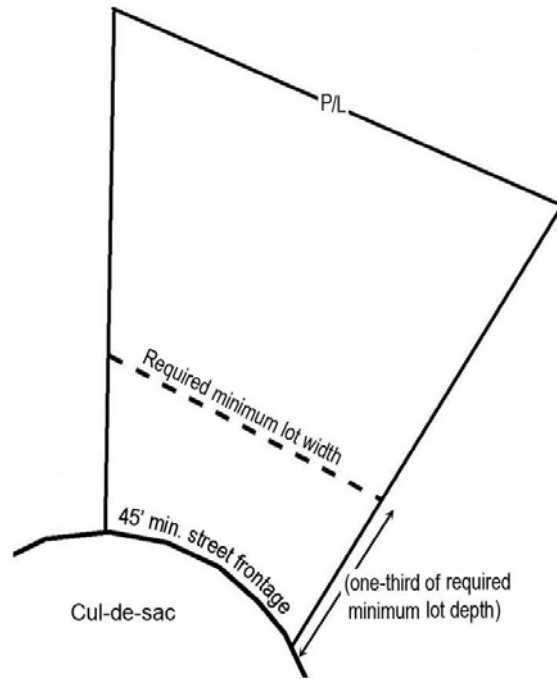
#### 18.210.080 Lots

- A. Suitability for Purpose. The subdivision plan shall result in the creation of lots which can be used or built upon. No subdivision shall create lots for building purposes which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape or other physical conditions.
- B. Lot Size. The minimum area and dimensions of all lots shall conform with the requirements of the Zoning Code, Title 19 of the Municipal Code. No lot shall have a depth of less than one hundred (100) feet nor a width of less than sixty (60) feet, as defined in Title 19, unless a lesser depth and/or width is approved as part of a planned residential development permit processed pursuant to Chapter 19.780.

- C. Lot Lines. Lot lines shall be located so as to facilitate the best utilization of existing and potential building sites. Normally, the side lines of lots shall be straight and approximately at right angles to the street, or approximately radial if the street is curved.
- D. Access to Streets. Every lot for building purposes shall have direct vehicular access to a ~~public or City approved private~~ street meeting the minimum requirements of this Title for right-of-way width and improvements. Lots, other than corner lots, normally shall not have access to more than one (1) street. On any lot intended for residential occupancy, it shall be possible to provide safe vehicular access by way of a private driveway with a grade not in excess of fifteen percent (15%) from the street to a garage, carport or parking site on the lot in a location conforming with the requirements of Titles 17 and 19 of this Code.
- E. Corridor Access Lots. Corridor access lots ~~shall~~ **may** be approved only where there is no reasonable alternative available to develop the interior portions of excessively deep parcels or where required by unusual physical constraints. ~~The corridor width shall be not less than twenty (20) feet, and the corridor length shall not exceed two hundred (200) feet. The area of the corridor shall not count in computing lot area for purposes of ascertaining compliance with the provisions of Title 19 of this Code. Where a corridor access lot is approved, the Approving Authority shall make a finding that it is necessary. If this finding is made, a modification or variance is not required. For the purposes of this Chapter the development standards for corridor access lots shall be as follows:~~
- A. the corridor width should be a minimum of twenty (20) feet;
  - B. the building pad should be located behind at least one of the proposed, existing or potential building pads on an adjoining lot to either side;
  - C. the lot width means the horizontal distance between the side lot lines measured at right angles across the mean depth of the building pad area measured between the front and rear of the building pad;
  - D. the building line means a line parallel with the street, independent of the corridor or panhandle; and
  - E. the front yard means a yard extending across the full width of the lot as measured from the building line.
  - F. The area of the corridor shall not count in computing lot area for purposes of ascertaining compliance with the provisions of Title 19 of the Code.
- The Zoning Administrator may interpret the standards of the corridor lot.
- F. Property Remnants. Remnants of property which do not conform to lot requirements or which are not required for a public or private utility or other public use or approved access purpose should not be created by or included in a subdivision. Remnants may be approved where exceptional circumstances exist.
- G. Reverse Frontage Lots. Reverse frontage **residential** lots shall ~~typically be approved~~ **required only** where ~~those~~ lots are adjacent to a ~~major~~ arterial street as shown on the [Master Plan of Roadways](#) in the General Plan, or to overcome specific disadvantages of topography and orientation. Where reverse frontage lots are approved, the right to vehicular and pedestrian ingress and egress over rear or side lot lines may be required to be relinquished.
- H. Drainage. All lots shall be adequately drained to the specifications of [Title 17](#) and the city Engineer.
- I. Cluster developments. Subdivisions may be arranged in a cluster fashion, in compliance with the planned residential development regulations indicated in Title 19, Section 19.780, Riverside Municipal Code.



- J. Cul-de-sac Lots, Knuckle Lots and Lots on Curves. For purposes of this Chapter, cul-de-sac lots, street knuckle lots and lots on curves, lot width means the horizontal distance between the side lot lines measured by a straight line drawn at one-third (i.e., 33.3%) the minimum required lot depth on each side lot line. At the front property line along a cul-de-sac bulb, street knuckle or curve, there shall be a minimum distance of at least forty-five-feet. The Zoning Administrator may interpret the standards of cul-de-sac lots, street knuckle lots and lots on curves. For more on cul-de-sac streets see 18.210.030.



#### 18.210.090 Commercial and Industrial Areas

- A. When property is designated on the General Plan or by Title 19 of this Code for commercial or industrial use, the plan of the subdivision shall be appropriate for such use and shall conform with all requirements of this Title, except that frontage on a public or City approved private street may not be required to allow parcel division of a shopping center.
- B. Streets shall have adequate capacity to handle the anticipated traffic that will utilize them. The City Engineer may require a traffic study.
- C. Insofar as possible, streets shall be laid out so that there will be direct access to the commercial or industrial area from major streets without utilizing local streets or traversing residential areas.
- D. Lot areas and dimensions shall conform with the requirements of Title 19 of this Code and shall be adequate to accommodate the yard spaces, off-street parking spaces and off-street loading spaces required by Title 19 and such additional spaces and other service facilities as are needed for the type of use and development contemplated.

#### 18.210.100 Flood-Prone Lands and Drainage

- A. The subdivision of flood-prone lands, as identified by the City Engineer, shall be prohibited except where:
  1. The subdivision is designed in a manner to minimize flood damage to both on-site and off-site structures;
  2. All public utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage;
  3. Adequate drainage is provided so as to reduce the property's exposure to flood hazards and to prevent the aggravation of flood hazards with respect to adjacent and downstream properties;
  4. All new or replacement water supply systems and sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters, and on-site waste disposal systems are located so as to avoid impairment of them or contamination from them during flooding;
  5. No use, including landfill, is permitted unless the subdivider has demonstrated that the proposed use, when in combination with all other existing and anticipated uses, will not increase the water surface elevation of the one-hundred-year flood more than one foot at any point. Plans for drains and drainage structures shall be adequate for local drainage needs and to protect lots and streets within the subdivision from flood hazard, taking into consideration the drainage pattern of adjacent property and treating upstream areas as though fully improved.

- B. The design for drainage structures and facilities shall be based on a ten-year flood frequency, except (1) those major channels designated by the Riverside County Flood Control and Water Conservation District for a one-hundred-year flood, and (2) those facilities draining areas containing sump conditions which shall be based on a fifty-year flood frequency. All designs shall provide for surface overflow to accommodate a 100-year flood.
- C. Plans for drainage and drainage works shall be subject to the approval of the City Engineer. Where necessary, means shall be provided for disposing of surface and storm waters beyond the limits of the subdivision. In the event that the subdivision is traversed by any watercourse, channel, stream or creek, the City, in order to maintain such watercourse, channel, stream or creek open and unobstructed, may require the dedication of rights-of-way or easements for storm drainage purposes conforming with the lines of such watercourses, or may require the dedication of such further and sufficient rights-of-way or easements as may be required for structures or channel changes or both to dispose of surface and storm waters, or may require that such rights-of-way be classified in an appropriate Zoning district. Such rights-of-way or easements shall be designed to carry the waters of a one-hundred-year flood, without increasing the water surface elevation of that flood more than one foot at any point.

#### **18.210.110 Sanitary Sewers**

Sanitary sewers shall be required to the specifications of the serving agency for all land divisions. Modifications may be granted for residential lots one (1) acre or larger as approved by the City provided:

- A. the Santa Ana Regional Water Quality Control Board (SARWQCB) has approved septic systems for the site; and
- B. the County of Riverside has approved the design of each proposed system pursuant to the applicable policies of the regulating agencies.

**Chapter 18.220*****Improvements*****18.220.010 Improvement Agreement**

- A. Before a final tract, vesting, reversion to acreage or parcel map is approved or complete all required improvements shall be accepted by the City.
- B. The City will not accept the dedication of any streets, alleys, pedestrian ways, easements or public places shown on the map unless all the required improvements have been completed and accepted.
- C. If improvements are required to protect certain lots from drainage hazards, an agreement may require that those improvements shall be installed prior to those certain lots being sold. The developer shall be required to obtain written approval from the City's Public Works Department prior to the sale of those lots.

**18.220.020 Improvement Security**

- A. In the event a contract is entered into for completion of improvements, the contract shall be secured by a good and sufficient improvement security in a form satisfactory to the City Attorney. "Improvement Security," as used in this Chapter, means one or more of the following:
  - (1) a deposit or deposits made with the City of money or negotiable bonds of the kind approved for securing deposits of public moneys;
  - (2) a bond(s) by one or more duly-authorized corporate sureties;
  - (3) an instrument(s) of credit from one or more financial institutions subject to regulation by the State or Federal government pledging that the funds necessary to meet the performance are on deposit and guaranteed for payment and agreeing that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument or a letter of credit issued by such a financial institution; or
  - (4) an assessment district proceeding whose purpose is to install public improvements provided that the City Council has confirmed the assessments and ordered the proposed improvements to be made.
    - a. In the event an assessment district proceeding is utilized, the confirmed assessments shall total an amount equal to fifty percent (50%) of the total estimated cost of the improvements to ensure the completion of said improvements and a like amount to act as security payment of the contractor, his subcontractors and to persons furnishing labor, materials or equipment to them for the improvements; provided, however, when the contract is awarded to construct such improvements or portions thereof, the contractor shall be required to furnish a faithful performance bond in an amount equal to one hundred percent of the contract price and a labor and material bond in accordance with the provisions of Chapter 7 (commencing with Section 3247) of Title 15 of the Civil Code of the State of California.
- B. Said improvement security shall be in the amounts and for the following purposes:
  - (1) faithful performance surety in the amount of one hundred percent (100%) of the total estimated cost of the improvements;
  - (2) fifty percent (50%) of the total estimated cost of the improvements, securing payment to the contractor, his subcontractors and to persons furnishing labor, materials or equipment to them for the improvements; and
  - (3) at least ten percent (10%) of the total estimated cost of the improvements for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished.

**18.220.030 Improvement Plans**

Prior to the commencement of construction or installation of any improvements within any street, alley, pedestrian way, easement, or other public area or right-of-way, the subdivider shall submit a complete set of construction plans to the Public Works Department. After all necessary changes, modifications, and additions ordered by the City Engineer or other applicable departments or agencies have been made on the improvement plans and before the map is given final approval, the subdivider shall file with the Public Works Department and other affected departments or agencies a complete set of reproducible permanent transparencies of the approved plans which shall become the property of the City and other applicable agencies.

**18.220.040 Improvement Standards**

All improvements shall be constructed and installed in accordance with the approved plans.

**18.220.050 Supplemental Improvements**

The subdivider may be required to install additional improvements for the benefit of property not within the subdivision. The subdivider may be reimbursed for the costs of the additional improvements, pursuant to the Subdivision Map Act 66486.

**18.220.060 Work Required**

The improvements required by this Chapter shall consist of all of the following work and such other work as may be required as a condition of acceptance of any street, alley, pedestrian way, easement, or other right-of-way:

- A. Grading and filling to approved grade, and construction of all necessary grade crossings, culverts, bridges and other related works;
- B. Construction and installation of all drains, drainage facilities, channel improvements and other drainage works required to provide adequate drainage for every lot and to protect all lots from flood or overflow by storm waters or floodwaters, in accordance with the approved plans for drains and drainage works;
- C. Construction and installation of concrete curbs and gutters on both sides of every street and on the proximate side of each existing or dedicated street bordering the subdivision. If a street is an extension of a turnaround or temporary turnaround, the bulbed portion shall be removed and the required improvements installed;
- D. Installation or provision for the installation of all sewer mains, including dry sewers when required by the Public Works Department, and all laterals required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line and a cleanout placed to serve each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- E. Installation of all utilities, utility lines and appurtenances, including water mains, fire hydrants, gas mains, telephone and electric lines, and all laterals and appurtenant equipment required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line of each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- F. Required utility lines, including but not limited to electrical, telephone, cable television, and street light service lines, providing service to all new property developments shall be placed underground. The subdivider is responsible for complying with the requirements of this section, and he shall make the necessary arrangements with the serving utility companies for the installation of such facilities. For the purpose of this subsection, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, ducts, street lighting or signal control cabinets, and other associated equipment in an underground system may be placed above ground. The Public Utilities Director may waive the requirements of this subsection if topographic conditions, soil or any other conditions make such underground installation unreasonable or impractical. A written justification for any such waiver shall be prepared and kept on file.

This subdivision shall not apply to telephone transmission lines or electric transmission lines or other lines which do not provide service to the area being subdivided;

- G. Relocation or provision for the relocation of any underground or overhead utility, including irrigation lines, the relocation of which is necessitated by development of the subdivision;
- H. Installation of asphalt concrete pavement, base material, and seal coat in all existing or dedicated streets and alleys or portions thereof;
- I. Installation of concrete sidewalks adjacent to the curbline, except where this requirement is specifically waived; installation of concrete driveway approaches; and installation of concrete pavement for pedestrian ways;
- J. Planting or providing for the planting of trees of the variety, size and condition prescribed by the Park, Recreation and Community Services Department in accordance with the approved plans and specifications; removing and, where required by the Park, Recreation and Community Services Department, transplanting designated trees that are located in the line of construction of improvements; providing maintenance for all trees and landscaped areas until the same are accepted by the City;
- K. Installation or provision for the installation of street lights of approved design and illumination intensity in the locations and manner approved by the Public Utilities Director;
- L. Installation of all required street signs, including street name signs, warning signs, and regulatory signs where required;
- M. Construction and installation of street barricades where required;
- N. Where any boundary line of a subdivision is adjacent to or across a public street, alley or pedestrian way from an open and unfenced canal, storm channel, railroad, quarry, airport, or other hazardous facility, or adjacent to unimproved land capable of division or development, or productive agricultural land, construct a six-foot chain link fence or masonry wall or barrier, separation or the like to the specifications of the Planning and Public Works Departments along such subdivision boundary line, or construct the equivalent length of fence or wall along the nearest right-of-way line of such canal, channel, railroad, airport, or other hazardous facility;
- O. Construction of such acceleration and deceleration lanes and traffic channelization devices in streets as are deemed necessary by the Public Works Department to control traffic;
- P. All work and improvements contemplated by and performed under the provisions of this Title shall be accomplished so as to minimize interference with and coordinate with other construction activities or developments of or on behalf of the City and nearby private development.

#### **18.220.070 Arterial Street Improvements**

Where the General Plan or any applicable specific plans shows an arterial street located within the boundaries of a subdivision or located immediately adjacent to a boundary or boundaries of a subdivision, the following dedications and improvements shall be required:

- A. Where the arterial street is designated to be within the boundaries of the subdivision, the subdivider shall dedicate and grade the entire right-of-way and improvement shall be required as designated by this Title, including a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors.
- B. Where the designated arterial street adjoins or is adjacent to a boundary or boundaries of the subdivision, the subdivider shall dedicate and grade one half of said right-of-way from the centerline, and improvements shall be required as designated in this Title for one-half of the street, including one-half of a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors. However, upon approval by the Public Works Department a fee in lieu thereof may



be paid by the subdivider to the City, which fee shall be in the amount estimated by the Public Works and Park, Recreation and Community Services Directors to be the cost of one-half of the raised median with landscaping and irrigation system.

### 18.220.080 Frontage Road Requirements

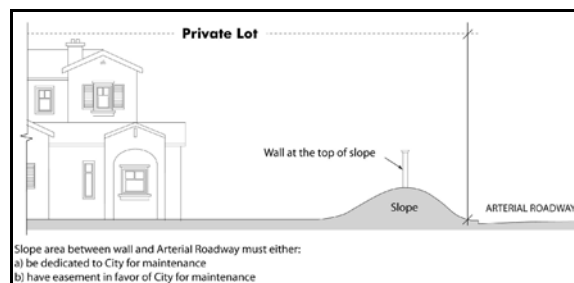
Where a limited access design is required for a highway and to accomplish this purpose a frontage road is provided, the frontage road and the adjacent highway shall be improved in accordance with the provisions of this Title, with the following additions and modifications:

- A. Street lights shall be required on both the highway and the frontage road.
- B. Where the highway is already improved and the pavement is not to the required grade and elevation, the subdivider shall remove and install the pavement to the required grade and elevation.
- C. Full improvement of the sections connecting the highway and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the highway deemed necessary by the City Engineer in order to provide for adequate entrances to and exits from the subdivision.
- D. A planting strip shall be provided between the frontage road and its adjacent highway which shall contain trees, shrubs, ground cover and an automatic irrigation system as approved by the Park, Recreation and Community Services Director.

### 18.220.090 Reverse Frontage and Side Frontage Lots

Where a limited access design is required for an arterial, and to accomplish this purpose reverse or side frontage lots bordering the arterial are provided, said arterial shall be improved in accordance with the provisions of this Title with the following additions and modifications:

- A. Full improvement of the sections connecting the arterial and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the arterial deemed necessary by the City Engineer to provide for adequate entrances to and exits from the subdivision.
- B. A masonry wall shall be constructed of a design, material and color approved by the Zoning Administrator adjacent to the rear or side property line of the lots backing up to or siding on an arterial street or other location as may be required by the City Engineer. Such wall shall not be less than six (6) feet in height, unless the regulations in Title 19 of this Code prescribe a different height, and shall be uniform in design, material and color. Where it is more feasible because of topography to construct the wall at the top of a slope adjacent to the arterial, the area between the street and the wall shall be dedicated or granted by easement to the City for restricted street purposes including landscaping; and the Planning Commission may grant modifications required for the development of any adjacent lot or parcel due to such dedication or grant of easement in accordance with the provisions of this Title.



18.220.090 B Reverse Frontage Walls

- C. Landscaping shall be required in the area between the property line and the curb and in any dedicated area or required landscape easement area between a required masonry wall and fence and the planned street line, and the landscaping shall consist of trees, shrubs, ground cover, and a fully automated

irrigation system as approved by the Park, Recreation and Community Services Director; provided, however, a fee in lieu thereof may be paid by the subdivider to the City, which fee shall be in an amount estimated by the Park, Recreation and Community Services Director to be the cost for such improvements.

- D. Long term maintenance of landscaping and the reverse frontage wall shall be the responsibility of a homeowner's association (HOA) where one exists in the case of a planned residential development. Where no HOA exists, the developer shall be responsible for providing for the long term maintenance of the landscaping and wall by means acceptable to the City, including payment of an endowment in an amount approved by the City.

#### **18.220.100 Inspection of Work**

The subdivider shall cause all work under construction to be inspected at such times as are established and required by the City.

#### **18.220.110 Access for Cable Television and Similar or Alternative Telecommunications Systems**

- A. Any and all appropriate cable television and similar or alternative telecommunications systems shall be provided access to any subdivision for which a tentative map was required by this Title for the purpose of constructing, installing or maintaining equipment consistent with the requirements of the City of Riverside, within public streets, highways, alleys, public utility easements, telecommunications easements and other public easements designated by the City of Riverside as acceptable for cable television and similar or alternative telecommunications systems use, which equipment is necessary to extend the appropriate telecommunications systems to the parcels within the subdivision.

"Appropriate cable television and similar or alternative telecommunications systems", as used in this section, means those franchised to serve the geographical area in which the subdivision is located.

- B. When the subdivision is being developed, the subdivider or the owner shall provide notice to all appropriate cable television and similar or alternative telecommunications systems regarding the optimum time or times for the access required by subsection A of this section to take place so that all trenching for utilities, sewers, telecommunications systems and the like can be coordinated and shared when feasible. While the subdivision is under construction, the access required by subsection A of this section shall be provided upon terms mutually acceptable to the subdivider or owner and an appropriate telecommunications system. If no mutually acceptable terms can be agreed upon, such appropriate telecommunications system shall have the right to construct, at its sole expense, separate trenches and to place therein all equipment necessary to extend such appropriate telecommunications system to the parcels within the subdivision. When any appropriate telecommunications system installs associated equipment in a separate trench, the trenching activity shall be performed as close in time and physical proximity to the trenching for utility lines, sewers and any other appropriate telecommunications system equipment as practicable.

#### **18.220.120 Preinstalled Improvements**

If the subdivider completes all improvements required by this Title prior to approval by the City of the final map or parcel map the subdivider shall be required, in addition to any other requirements of this Title, to provide the City with an improvement security in form acceptable to the City Attorney to guarantee the maintenance of the work required by this Title, for a period of one (1) year following the acceptance thereof by the City, against any defective work or labor done or defective materials furnished. The penal sum of this security shall be in the amount of ten percent (10%) of the estimated cost of all improvements required by this Title, which cost shall be ascertained by the City Engineer; but in no event shall said penal sum be less than three hundred dollars (\$300).

#### **18.220.130 Forfeiture of Security**

If the subdivider or the surety fails to complete all the required improvements within a time prescribed by the improvement contract with the City or any authorized extension thereof by the City, in addition to any other legal or equitable remedies available, the City Council may order that the remaining improvements be made by or on behalf of the City at the expense of the subdivider and the surety.

**18.220.140 Release of Security**

The improvement security may be released in the following manner:

- A. Upon completion of all the work, improvements and obligations called for under the subdivider's contract for completion of the improvements, and upon acceptance of all said work and improvements by the Public Works Director or his/her designee, the Public Works Director or his/her designee shall authorize the release of the improvement security given for faithful performance of the contract. The release shall not apply to any required guarantee and warranty period required by [18.220.020 B 3](#). However, the liability of the improvement security given for faithful performance of the contract shall continue for a period of one year following the acceptance of the work and improvements to guarantee the City against any defective work or labor done, or defective materials furnished in the performance of the contract.
- B. The improvement security securing the payment to the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials may, six (6) months after the completion and acceptance of the work and improvements, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the City; and if there are no actions filed, the Public Works Director or his/her designee will authorize the release in full of the improvement security.

**Chapter 18.230**

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***Modifications***

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**18.230.010 Modifications Authorized**

Modifications from the public improvement requirements of this Title may be granted pursuant to the procedures set forth in this Chapter.

**18.230.020 Applications**

An application for a modification shall be made by a petition of the subdivider on forms as may be prescribed by the Planning Division. The petition shall set forth the nature and extent of the requested modification, the grounds of the application and the facts relied upon by the petitioner for the request for a modification. The petition shall be filed together with the administrative discretionary or discretionary map or permit.

**18.230.030 Approving/ Appeal Authority**

The Approving or Appeal Authority shall consider the application for a modification and the drawings and documents filed with an application at the same time as the map or permit is considered. The modification may be granted or may be granted subject to prescribed conditions, provided that the Approving or Appeal Authority shall make the following findings:

- A. That the property is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable for the petitioner to fully conform with the regulations prescribed by this Title, and required conformance would result in undue hardship;
- B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- C. That the modification will not be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity;
- D. That granting the modification is in accordance with the purposes set forth in this Title;
- E. That granting the modification is not contrary to the objectives of the Zoning Code set forth in Title 19 of this Code and the General Plan.

## Chapter 18.240

# Fees

### 18.240.010 Fees Required

Filing fees for filing a tentative tract, vesting or reversion to acreage map, parcel map, final tract, vesting, reversion to acreage or parcel map, appeal, modification, waiver application and certificate of compliance application, and fees for map checking shall be in an amount established by resolution of the City Council and shall be paid at the time the application, petition or map is filed.

### 18.240.020 Drainage Fees

- A. This section is adopted pursuant to Section 66483, et seq. of the California Government Code which provides for the payment of fees for construction of drainage facilities as a condition to the division of land.
- B. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, adopted by resolution of the City Council, a drainage fee in the amount set forth in the adopted plan shall be paid as a condition of approval of the filing of a final map or parcel map, or as a condition of the waiver of the filing of a parcel map.
- C. Each area drainage plan shall be adopted pursuant to the provisions of California Government Code Section 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan; and shall include a map of the area that shows the boundaries of the drainage area and the location of the required facilities.
- D. The area drainage plan shall be determined by resolution of the Riverside County Board of Supervisors and/or the Riverside County Flood Control and Water Conservation District to be in conformity with any applicable County-wide or district general drainage plans.
- E. As a condition to adoption of a plan, the City Council shall find and determine that the subdivision and development of property within the planned local drainage area will require construction of the facilities described in the drainage plan and that the drainage fees are fairly apportioned within such area either on the basis of benefits conferred on property proposed for subdivision or on the need for such facilities created by the proposed subdivision and development of other property within such area.
- F. The City Council may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within such area which would be assessable on such property if such costs were apportioned uniformly on a per-acre basis.
- G. The planned drainage facilities shall be in addition to existing facilities serving the area at the time of the adoption of the area drainage plan.
- H. Drainage fees required by this section shall be paid to the City and thereafter transferred into a planned local drainage facilities fund which shall be maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the district for each adopted local drainage area. Moneys in such funds shall be expended solely for the construction, reimbursement for construction, or right-of-way acquisition for drainage facilities within the drainage area for which the fees were collected, or to reimburse the district for the cost of engineering and administrative services to design and construct the facilities and acquire any necessary right-of-way for the facilities.
- I. In the discretion of the City Council, dedication of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
- J. Money may be advanced by the Riverside County Flood Control and Water Conservation District to pay the cost of drainage facilities within an adopted drainage area; thereafter, such moneys may be

reimbursed from the planned local drainage facilities fund for the local drainage area in which the facilities were constructed.

- K. When required for the implementation of an adopted area drainage plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance funds for the construction of facilities within a local drainage area, provided that the sole security for payment of funds or other consideration advanced shall be moneys subsequently accruing to the planned local drainage facilities fund for the drainage area in which the facilities are constructed. Reimbursement shall be for the amount advanced only and shall not include interest or other charges. The agreement shall expire ten years after the date it was entered into, and any subsequent moneys paid into the fund shall accrue to it without obligation to creditors for which the agreements have expired.
- L. Drainage fees listed in an adopted plan may be amended by the City Council at any time upon a determination that it is necessary to change the fees in order to correctly reflect the estimated cost of the required facilities.

#### **18.240.030 Other Fees**

Other fees may be required pursuant to the City's Fee resolution. Pursuant to California Government Code 66477 and [Chapter 16.60](#) of the Riverside Municipal Code, the City may, in-lieu of an offer of parkland dedication, impose a fee as a condition of development. The amount of this fee shall be determined by resolution of the City Council.

